

# **HOUSE . . . . . No. 4517**

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## **The Commonwealth of Massachusetts**

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HOUSE OF REPRESENTATIVES, November 3, 2014.

The committee on Ways and Means, to whom was referred the Bill providing housing and support services to unaccompanied homeless youth (House, No. 135), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4517).

For the committee,

BRIAN S. DEMPSEY.

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Fourteen**  
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An Act promoting housing and support services to unaccompanied homeless youth.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 6A of the General Laws, as appearing in the 2012 Official Edition,  
2 is hereby amended by inserting after section 16U the following section:-

3           Section 16V. (a) As used in this section, unless the context clearly requires otherwise, the  
4 following terms shall have the following meanings:-

5           “Unaccompanied homeless youth”, a person 24 years of age or younger who is not in the  
6 physical custody or care of a parent or legal guardian and who lacks a fixed, regular nighttime  
7 residence. "Unaccompanied homeless youth" does not include a person incarcerated or otherwise  
8 detained under federal or state law.

9           “Fixed, regular nighttime residence”, a dwelling at which a person resides on a regular  
10 basis that provides safe shelter, sufficient for meeting both the physical and psychological needs  
11 typically met in home environments. "Fixed, regular nighttime residence" does not include a  
12 publicly or privately operated institutional shelter designed to provide temporary living  
13 accommodations; transitional housing; a temporary placement with a peer, friend, or family  
14 member who has not offered a permanent residence, residential lease or temporary lodging for  
15 more than 30 days; or a public or private place not designed for, nor ordinarily used as, a regular  
16 sleeping accommodation for human beings.

17           (b) There shall be a commission within the executive office of health and human services  
18 for the purpose of studying and making recommendations relative to services for unaccompanied  
19 homeless youth, with the goal of providing a comprehensive and effective response to the unique  
20 needs of this population. The focus of the commission’s work shall include, but not be limited to:  
21 (i) an analysis of the barriers to serving unaccompanied youth who are gay, lesbian, bisexual or  
22 transgender; (ii) an analysis of the barriers to serving unaccompanied youth under 18 years of  
23 age; (iii) an assessment of the impact of mandated reporting requirements on unaccompanied

youths' access to services; (iv) the commonwealth's ability to identify and connect with unaccompanied youth; and (v) recommendations to reduce identified barriers to serving this population. The commission, in formulating its recommendations, shall take account of best practices and policies in other states and jurisdictions.

The commission shall include: the secretary of health and human services or a designee, who shall serve as chair; the commissioner of children and families or a designee; the commissioner of elementary and secondary education or a designee; the commissioner of public health or a designee; the commissioner of mental health or a designee; the director of Medicaid or a designee; the commissioner of transitional assistance or a designee; the undersecretary of housing and community development or a designee; the commissioner of youth services or a designee; the chairs of the joint committee on children, families and persons with disabilities; 1 member of the senate as appointed by the senate president; 1 member of the house of representatives as appointed by the speaker of the house of representatives; 3 youth who have experienced homelessness appointed by the office of the child advocate; 3 direct service providers who work with unaccompanied homeless youth to be appointed by the governor; and 1 representative from each of the following organizations: the Massachusetts Coalition for the Homeless, the Task Force on Youth Aging Out, the Massachusetts Appleseed Center for Law and Justice, MassEquality, the Massachusetts Housing and Shelter Alliance, the Massachusetts Transgender Political Coalition and the Boston Alliance of Gay, Lesbian Bisexual and Transgender Youth. Nongovernmental members shall serve for 2 year terms and may be reappointed.

The commission shall submit an annual report by December 31 to the governor, the clerks of the house of representatives and the senate, the joint committee on children, families and persons with disabilities and the office of the child advocate. The report shall include, but not be limited to, the commission's findings and any recommendations for regulatory or legislative action with a timeline for implementation, cost estimates and finance mechanisms, and shall detail the extent of homelessness among unaccompanied youth within the commonwealth and the progress made toward implementing the commission's recommendations, along with other efforts to address the needs of this population.

(c) Subject to appropriation or third party reimbursement, the executive office of health and human services shall enter into performance-based contracts with organizations and agencies to provide housing and support services to address the needs of unaccompanied homeless youth in urban, suburban and rural areas of the commonwealth. In entering into such contracts, the executive office of health and human services shall take into consideration the recommendations of the commission on unaccompanied youth homelessness, established by subsection (b), on identifying, connecting and serving unaccompanied homeless youth in general, as well as unaccompanied homeless youth under the age of 18 and youth who are lesbian, gay, bisexual, or transgender, in particular. Contracts authorized under this section shall include housing services for unaccompanied homeless youth, which may include, but are not limited to: emergency

63 shelter, kinship home placements, short term housing and transition to independent living  
64 programs. Programs shall provide unaccompanied homeless youth with a stable out-of-home  
65 placement, help to reunite the youth with the youth's parent or legal guardian if family  
66 reunification is in the youth's best interest and help create educational and residential stability.  
67 Additional support services may include, but are not limited to: individual, family and group  
68 counseling; access to medical, dental and mental health care; education and employment  
69 services; case management, advocacy and referral services; independent living skills training;  
70 and provision of basic needs.

71 (d) The executive office of health and human services shall monitor organizations  
72 awarded contracts under this section to ensure that appropriate and high-quality services are  
73 being delivered to homeless youth, and shall collect common data and outcome measures from  
74 these organizations. Data collected from the organizations and agencies, the incidence of  
75 unaccompanied youth homelessness in the commonwealth, and the status of and any change in  
76 housing, residential stability, educational stability and outcomes and well-being of homeless  
77 youth in the commonwealth shall be included in the annual report of the special commission on  
78 unaccompanied homeless youth, pursuant to subsection (b) of this section.

79 SECTION 2. Notwithstanding section 16V of chapter 6A of the General Laws, members  
80 who were previously appointed to the special commission on unaccompanied homeless youth  
81 pursuant to section 208 of chapter 139 of the acts of 2012, may continue to serve on the  
82 commission until new members are appointed or reappointed.